

Application No. 09/890,441
Response to Office Action

Customer No. 01933

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

RE: PRELIMINARY AMENDMENT

It is noted that the Examiner did not address claims 22 and 23, which were added in the Preliminary Amendment filed with the original National Phase entry papers on July 25, 2001. And it is respectfully requested that these claims be considered on the merits (and allowed) in the next action.

RE: ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowability of the subject matter of claims 2-7 and 10-15 is respectfully acknowledged.

Claim 9 has been amended to incorporate the allowable subject matter of (now canceled) claim 10, and claim 14 has been amended so as to be rewritten in independent form to include all of the limitations of its parent claim 9.

In addition, claims 9, 11-15 and 23 have been amended to make some minor grammatical improvements and/or to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent, and claims 11-13 and 15 have been amended to depend from claim 9 (instead of from now canceled claim 10).

-12-

Application No. 09/890,441
Response to Office Action

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No new matter has been added and no new issues with respect to patentability have been raised.

Accordingly, it is respectfully submitted that amended independent claims 9 and 14 and claims 11-13, 15 and 23 depending therefrom are all in condition for immediate allowance.

Claims 2-7, however, have not been rewritten in independent form at this time since, as set forth in detail hereinbelow, it is respectfully submitted that their parent claim 1 also recites allowable subject matter.

RE: CLAIMS 1-7 AND 22

Claims 1-7 and 22 have been amended only to make some minor grammatical improvements and/or to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to claims 1-7 and 22 be approved and entered.

It is respectfully submitted, moreover, that the amendments to claims 1-7 and 22 are not related to patentability, and do not narrow the scope of these claims either literally or under the doctrine of equivalents.

Application No. 09/890,441
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RE: THE PRIOR ART REJECTION

Claims 1, 8 and 9 were rejected under 35 USC 103 as being obvious in view of the combination of prior art Fig. 50 and USP 5,742,208 ("Blazo"). This rejection, however, is respectfully traversed.

In particular, it is respectfully submitted that Blazo does not disclose, teach or suggest the random number generating means or the filter unit of the claimed present invention as recited in independent claim 1.

On page 3 of the Office Action, the Examiner contends that reference numeral 52 in Blazo designates a random number generating means. It is respectfully submitted, however, that DDS 60 of variable reference oscillator 52 in Blazo merely outputs a modulated clock signal, and that VCO#1 68 in Blazo merely outputs a carrier. In Blazo, the variable reference oscillator 52 comprises a PLL 62 including the VCO#1 68, and generates a clock signal which has been frequency-modulated or phase-modulated.

In addition, it is respectfully pointed out that Blazo also does not disclose a filter unit (identified by the Examiner as reference numeral 7, which does not appear in Blazo) for receiving a sequence of random number signals output from the random number generating means. And it is respectfully submitted that the PLL 56 ("modulating means" according to the Examiner) of

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Blazo merely carries out sine-wave modulation on the carrier output from VCO#2 80, and is different from the modulating means of the present invention as recited in claim 1, which modulates the frequency of the clock signal generated by the clock generating means by a signal output from the filter section.

Accordingly, it is respectfully submitted that the present invention as recited in independent claim 1 and claims 2-7 and 22 depending therefrom clearly patentably distinguishes over the combination of the prior art Fig. 50 and under 35 USC 103.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of all of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,


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